

# LYNCHBURG CITY COUNCIL

## Agenda Item Summary

MEETING DATE: **August 9, 2005**

AGENDA ITEM NO.: 13

CONSENT:

REGULAR: **X**

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Public Hearing Regarding a Request for a Taxicab Rate Increase**

RECOMMENDATION: After the public hearing, amend the City Code to incorporate new rates for taxi services.

SUMMARY: On May 10, 2005 Council conducted a public hearing to receive comment on a proposed amendment to the City Code to increase rates for taxi services requested by several taxicab operators. A copy of the earlier Council Report is attached for your information. During the public hearing it became apparent that there was some confusion regarding the rate increase proposal. As a result, Council deferred action on this matter.

Subsequently, on June 20, a meeting was held with representatives of all taxicab companies and consensus was reached on what to propose to Council. The operators confirmed that they do not want the City to deregulate rates. Instead of a rate ceiling, the operators want the City to fix the rates by code. The operators have reduced their requested increase from \$1.40 to \$0.40, resulting in a charge of \$1.80 for the first one-ninth mile and \$0.25 for each succeeding one-ninth mile. An adjustment is also proposed for the hourly rate from \$6.00 to \$30.00. Furthermore, the proposed amendments would allow for a security deposit and would allow a driver to refuse service if he feared for his personal safety or there had been repeated false calls for a fare. Finally, the repeal of Section 37-37 is recommended. This is already dealt with in the rules and regulations promulgated by the City Manager as authorized by Code.

If adopted, the proposed rate increases would be effective September 1, 2005.

PRIOR ACTION(S): Public Hearing held May 10, 2005.

BUDGET IMPACT: None

CONTACT(S): Kimball Payne

ATTACHMENT(S): Council Report for the May 10, 2005 Meeting; Proposed Ordinance

REVIEWED BY: lkp

AN ORDINANCE TO AMEND AND REENACT SECTIONS 37-44 AND 37-109 OF THE CODE OF THE CITY OF LYNCHBURG, 1981, AS AMENDED, AND TO AMEND THE CODE OF THE CITY OF LYNCHBURG, 1981, BY REPEALING SECTION 37-37, THE AMENDED AND REPEALED SECTIONS RELATING GENERALLY TO TAXICAB RATES.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNCHBURG:

1. That Sections 37-44 and 37-109 of the Code of the City of Lynchburg, 1981, as amended, be further amended and reenacted as follows:

**Sec. 37-44. Refusal to accept calls or passengers; failure or refusal to give overall service.**

The holder of a certificate who shall refuse to accept a call anywhere within the city or refuse to accept a passenger for delivery to any place within the city or within one mile of the city when such holder has available a taxicab or who shall fail or refuse to give overall service shall be guilty of a misdemeanor and the certificate granted to such holder shall be suspended or revoked at the discretion of the city manager subject to the provisions of sections 37-74 through 37-77, unless driver can articulate a reasonable concern for his/her personal safety or unless repeated incidences of a taxi having been previously called to that address which calls turned out to be false calls for a fare.

**Sec. 37-109. Rates.**

The rates to be charged passengers by owners or drivers of taxicabs shall be as provided in this section and it shall be unlawful for an owner to permit or a driver to make any greater or lesser charges for the transportation of passengers and luggage than the following charges:

(a) Trip rates.

(1) Mileage basis.

For the first one-ninth mile, or fraction thereof	<del>\$1.40</del>	<u>1.80</u>
For each succeeding one-ninth mile, or fraction thereof	<del>0.20</del>	<u>0.25</u>

(2) Waiting time. For each minute of waiting time, or fraction thereof, after the first three (3) minutes or ~~\$24.00~~ 30.00 per hour waiting time

0.40

(b) Hourly rates. When hired on an hourly basis for one (1) or more passengers, per hour

~~6.00~~ 30.00

(c) Trunks or footlockers. For transporting trunks or footlockers along with passengers, each piece

1.00

(d) Hand luggage.

(1) For each hand baggage in excess of two (2) bags per passenger, each additional bag

0.10

(2) For packages without a passenger, each

1.00

(e) Bags weighing one hundred (100) pounds, or over.

For each piece of baggage weighing one hundred (100) pounds, or over 1.00

(f) For transporting pets, other than seeing-eye dogs,  
an additional charge for each pet 1.50

(g) Two (2) or more passengers. An extra charge of twenty cents (\$0.20) per passenger shall be made for each additional passenger traveling together and discharged along the route or at the same destination.

(1) Should the first person taken into a taxicab for transportation permit the driver to allow another or others traveling in the same direction to be transported in the same taxicab with him, pursuant to Section 37-24, the passenger first arriving at his destination shall pay in accordance with the meter charge at that point, plus an extra charge of twenty cents (\$0.20) for each additional passenger transported and discharged at that destination, whereupon the driver of the taxicab shall immediately clear his meter and set the same for immediate operation for the next passenger, who shall pay the meter charge upon arrival at his destination, plus an extra charge of twenty cents (\$0.20) for each additional passenger transported and discharged at that destination. The same method shall be followed for each succeeding passenger.

(2) When two (2) or more passengers are bona fide traveling together and engage a taxicab to different destinations, the charge shall be made as if the taxicab were hired for one (1) passenger for the last destination, plus an extra charge of twenty cents (\$0.20) for each additional passenger transported.

(h) Passengers to points beyond city limits. For transportation of passengers from the city to points beyond the city limits, the rates set out in this section shall be applicable only to so much of such trip as is within the city limits.

(i) In order to ensure payment of fares, drivers may request a security deposit of no more than \$5.00 prior to accepting a passenger. The difference between such deposit and the actual fare shall be refunded to the passenger.

2. That Section 37-37 of the Code of the City of Lynchburg, 1981, as amended, is hereby repealed.

### **~~Sec. 37-37. Advertising signs.~~**

~~(a) No taxicab using the streets of the city shall have on the exterior thereof any advertising signs of any description, except as follows:~~

~~(1) Signs that designate the name and telephone number of the owner and number of the taxicab.~~

~~(2) Signs for which compensation is received located on the rear of such taxicabs and displayed only after the owner of such taxicabs has obtained a license therefor as provided in section 36-44.~~

~~(3) Signs displayed without compensation therefor and with the written approval of the city manager on the bumpers of taxicabs for the purpose of advertising campaigns or events sponsored by the federal, state or local government for governmental purposes, or sponsored by charitable, benevolent or civic organizations for charitable or civic purposes. Unless it appears to the satisfaction of the city manager that the proceeds from such campaigns or events will be entirely devoted to governmental, charitable or civic purposes, the city manager shall withhold approval.~~

~~(b) In no event shall any alcoholic beverage of any kind be advertised on any sign permitted under this section.~~

~~(c) No advertising matter permitted under this section shall be on board or other type of support, which projects beyond the regular lines of the body of any taxicab or which in any way interferes with the normal~~

~~vision of the driver of such taxicabs or which in any way obstructs the view of license plates, lights or visual signal devices required by state law.~~

3. That this ordinance shall become effective on its passage.

Adopted:

Certified: \_\_\_\_\_  
Clerk of Council

107L

# LYNCHBURG CITY COUNCIL

## Agenda Item Summary

MEETING DATE: <b>May 10, 2005</b>		AGENDA ITEM NO.: 13
CONSENT:	REGULAR: <b>X</b>	CLOSED SESSION:
ACTION: <b>X</b>	INFORMATION:	(Confidential)
<u>ITEM TITLE:</u> <b>Public Hearing Regarding a Request for a Taxicab Rate Increase</b>		

RECOMMENDATION: Conduct a public hearing regarding a proposed taxicab rate increase.

SUMMARY:

Porter L. Douglas and Portia Douglas-Davis, representing taxicab owners/drivers in the City, are requesting a taxicab rate increase as follows:

- For the first one-ninth mile, or fraction thereof – increase from \$1.40 to \$2.80
- For each succeeding one-ninth mile, or fraction there – increase from \$0.20 to \$0.30
- For each additional passenger after the first – increase from \$0.20 to \$0.30

The last rate increase was on June 1, 1999, and they are requesting that the proposed rate increase become effective on June 1, 2005. They are also requesting that in the future rates be increased simultaneously with the Greater Lynchburg Transit Company automatically or annually on June 1. Regardless of how Council acts on the proposed rate increase, staff does not recommend automatic increases in subsequent years.

LPD Crime Analyst Tommy J. Doss contacted the (4) taxicab companies operating within the City and spoke with the owner/licensee to determine their opinion of the proposed increase:

- Allied Cab - Phillip Mack does not support the proposal.
- City Cab - Did not respond despite repeated attempts to contact.
- Gray Top Cab - Jeremiah Gardner, (who made the proposal) supports the proposal.
- Hill City Cab - Doug Porter - supports the proposal.

Mr. Doss also contacted the cities of Danville, Roanoke, Charlottesville, and Martinsville to determine their current taxicab fare rates, and the attachments document the current taxicab fare rates for those cities.

PRIOR ACTION(S): None

BUDGET IMPACT: None

CONTACT(S):

Portia Douglas-Davis (757) 358-3432

ATTACHMENT(S):

- Ordinance
- Taxicab fare rates for cities
- Letter requesting rate increase

REVIEWED BY: lkp

AN ORDINANCE TO AMEND AND REENACT SECTION 37-109 OF THE CODE OF THE CITY OF LYNCHBURG, 1981, AS AMENDED, THE AMENDED SECTION RELATING GENERALLY TO TAXICAB RATES.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNCHBURG:

1. That Section 37-109 of the Code of the City of Lynchburg, 1981, as amended, be further amended and reenacted as follows:

**Sec. 37-109. Rates.**

The rates to be charged passengers by owners or drivers of taxicabs shall be as provided in this section and it shall be unlawful for an owner to permit or a driver to make any greater or lesser charges for the transportation of passengers and luggage than the following charges:

(a) Trip rates.

(1) Mileage basis.

For the first one-ninth mile, or fraction thereof	<del>\$1.40</del>	<u>2.80</u>
For each succeeding one-ninth mile, or fraction thereof	<del>0.20</del>	<u>0.30</u>

(2) Waiting time. For each minute of waiting time, or fraction thereof, after the first three (3) minutes or \$24.00 per hour waiting time

0.40

(b) Hourly rates. When hired on an hourly basis for one (1) or more passengers, per hour

6.00

(c) Trunks or footlockers. For transporting trunks or footlockers along with passengers, each piece

1.00

(d) Hand luggage.

(1) For each hand baggage in excess of two (2) bags per passenger, each additional bag

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(2) For packages without a passenger, each

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(e) Bags weighing one hundred (100) pounds, or over.

For each piece of baggage weighing one hundred (100) pounds, or over

1.00

(f) For transporting pets, other than seeing-eye dogs, an additional charge for each pet

1.50

(g) Two (2) or more passengers. An extra charge of ~~twenty~~ thirty cents (~~\$0.20~~ 0.30) per passenger shall be made for each additional passenger traveling together and discharged along the route or at the same destination.

(1) Should the first person taken into a taxicab for transportation permit the driver to allow another or others traveling in the same direction to be transported in the same taxicab with him, pursuant to Section 37-24, the passenger first arriving at his destination shall pay in accordance with the meter charge at that point, plus an extra charge of ~~twenty~~ thirty cents (~~\$0.20~~ 0.30) for each additional passenger transported and discharged at

that destination, whereupon the driver of the taxicab shall immediately clear his meter and set the same for immediate operation for the next passenger, who shall pay the meter charge upon arrival at his destination, plus an extra charge of ~~twenty~~ thirty cents (~~\$0.20~~ 0.30) for each additional passenger transported and discharged at that destination. The same method shall be followed for each succeeding passenger.

(2) When two (2) or more passengers are bona fide traveling together and engage a taxicab to different destinations, the charge shall be made as if the taxicab were hired for one (1) passenger for the last destination, plus an extra charge of ~~twenty~~ thirty cents (~~\$0.20~~ 0.30) for each additional passenger transported.

(h) Passengers to points beyond city limits. For transportation of passengers from the city to points beyond the city limits, the rates set out in this section shall be applicable only to so much of such trip as is within the city limits.

2. That this ordinance shall become effective on its passage.

Adopted:

Certified:

\_\_\_\_\_  
Clerk of Council

056P

Porter L. Douglas Owner/Driver  
Portia Douglas-Davis  
Hill City Cab Co., Inc.  
200 Oakley Ave.  
Lynchburg, VA 24501

Attn: Pat Kost (Secretary of City Counsel)  
City Hall  
900 Church St.  
Lynchburg, VA 24504

May 10, 2005

To the Municipal Officers of the City of Lynchburg, VA:

We, the undersigned Cab Owners/Drivers of the City of Lynchburg, VA, hereby **petition** the Municipal Officers of Lynchburg, VA, to submit to the City at the City Counsel Meeting to be held on May 10, 2005, the following proposal:

1. Propose an overdue Taxi Cab rate increase
2. Propose that the initial rate of the first drop (when passenger first gets in) be increased from \$1.40 to \$2.80 in an effort to comfortably maintain our businesses
3. Propose subsequently a ten cent rate increase for each additional 1/9 mile, and for each additional passenger after the first, equaling thirty cents
4. The last raise was **June 1, 1999**
5. Propose that the Taxi Cab rate increase become effective as of June 1, 2005 if not sooner
6. Propose that thereafter rates be increased simultaneously with the **Greater Lynchburg Transit Company** automatically or annually on **June 1, 2005**

Sincerely,  
Porter L. Douglas  
Portia Douglas-Davis  
All other concerned Parties  
(i.e. Cab companies)

(757) 358-3432



### **Argument:**

1. Gas prices have and are continuing to tremendously increase, even as we sleep
2. Cab maintenance repairs have increased
3. Teachers have gotten a 2% raise which comes from the City budget whereas cabs are self-sufficient, not agency funded nor assisted
4. Cabs survive only off of their own generated revenue
5. Sometimes cabs run Deadheads (no one is there to pick up), expense has been created, gas burned and time wasted for \$0.00 to account for mileage
6. There are Jump-outs (passengers reach destination and do not pay)
7. On one particular occasion when police were summoned the officer stated that, "we were only wasting his time and he did not want to be bothered"
8. On another occasion in court the passenger told the judge that they "did not call a cab" resulting in them not having to pay cab fare nor any fines
9. Drivers transport and appear in court to no avail
10. Cab arrives to pick up and someone says, "they already left" and driver cannot collect the fee for going to pick up passenger (\$1.40)
11. Expenses such as gas, insurance, maintenance, employment taxes and etc. have significantly cut into our profits at Hill City Cab, Inc. since we are a small company
12. There is now a \$1.00 surcharge on pizza delivery since they are delivering pizzas resulting in them burning gas ;however, cabs take a risk at Hill City Cab each and every time we crank up and head towards a call